

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

SANDOR ALVAREZ,

Plaintiff,

v.

Case No.: 2:22-cv-448-KCD

CIRCLE K STORES, INC.,

Defendant.

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**ORDER**

Before the Court is Defendant Circle K Stores, Inc.'s Motion to Compel. (Doc. 35.)<sup>1</sup> No opposition has been filed, and the time to do so expired. The Court thus treats the motion as unopposed. *See* Local Rule 3.01(c).

Circle K served Plaintiff with discovery requests that have not been answered. Federal Rule of Civil Procedure 37(a) provides that a party may move for an order compelling discovery in such circumstances. Defendant attempted to confer with Plaintiff's counsel in a good faith effort to resolve this dispute to no avail. (Doc. 35 at 2-3.) And now Plaintiff has failed to respond to the motion, thereby waiving any objections. *See Siddiq v. Saudi Arabian Airlines Corp.*, No. 6:11-cv-69-Orl-19GJK, 2011 WL 6936485, at \*3 (M.D. Fla.

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<sup>1</sup> Unless otherwise indicated, all internal quotation marks, citations, and alterations have been omitted in this and later citations.

Dec. 7, 2011) (stating that a party that does not assert objections to discovery within time permitted by rule, stipulation, or court order waives objections and is precluded from asserting objections in response to a motion to compel).

Having received no response in opposition, the Court grants the motion to compel. (Doc. 35.) By **September 22, 2023**, Plaintiff must serve full and complete responses to the outstanding discovery requests.

**ENTERED** in Fort Myers, Florida on September 8, 2023.



Kyle C. Dudek  
United States Magistrate Judge

Copies: All Parties of Record